

## SUMMONS ISSUANCE IN ADVERSARY & INVOLUNTARY CASES

The following guide explains how an original summons is issued upon filing of an adversary case and the process to obtain Alias, Pluries, and Third-Party summons in an adversary proceeding and Involuntary summons in a bankruptcy case.

### Automatic Summons in Adversary Proceeding Filing

After a complaint is docketed and subsequently reviewed by the Clerk's Office, an internal program will automatically create and issue a summons. It is the responsibility of the electronic filer to print the automatically issued summons and serve it according to the Federal Rules of Bankruptcy Procedure. A copy of Local Rule 7001-1 must be served along with the summons.

#### Notice of Electronic Filing

The following transaction was received from ADIClerk entered on 02/01/2017 at 2:31 PM EST and filed on 02/01/2017

**Case Name:** Adams v. Wells Fargo, NA

**Case Number:** [3:17-ap-00034-JAF](#)

**Document Number:** [4](#)

#### Docket Text:

Summons issued on Wells Fargo, NA along with Local Rule 7001-1 - Adversary Proceedings - Procedures. Answer Due 03/03/2017. If one or more defendants are the United States or an officer or agency thereof, add an additional five days to the Answer Due date. A copy of this summons must be included when filing proof of service of this summons. (ADIClerk)

The issued summons will appear on the docket report and also on the Notice of Electronic Filing. Click on the document number hyperlink for the Summons. The issued summons is displayed in pdf format.

Note: If any updates to the parties or related bankruptcy case information occurs after the issuance of the initial summons, do not use the automatic summons. You will need to request an Alias Summons as outlined below. If the summons is correct, **Print** or **Save** to a file. At the bottom of the summons is a link to a blank Certificate of Service page. This can be printed and used to file proof of service of the summons with the Court.

## Requesting an Alias / Pluries Summons

Alias / Pluries Summons are requested via paperless docket entry, then issued and posted to the docket via an automated process. Attorneys are notified of the summons entry through their usual manner of electronic notification (individual or daily summary emails.)

In the **Adversary – Request a Summons** event menu, select the event **Request for Alias or Pluries Summons**.

A message screen during docketing indicates that a form is unnecessary, and that the event is not to be used for Third Party or Involuntary Summons. (Explanation of that process follows below.)

**Summons Events:**

[6:15-ap-00006-ABB Vader v. Common](#)

Type: ap	Office: 6 (Orlando)	Judge: ABB
Lead Case: 6-11-bk-158	Case Flag: ADV	

**NOTE:** Upon completion of this docket entry, an Alias or Pluries Summons, as requested via this entry, will be automatically generated and docketed under a separate entry. No prepared summons form is required for this request.

This event is for Alias and Pluries Summons only. If you require a Third Party or Involuntary Summons, please return to the Adversary or Bankruptcy - Request a Summons category and select the Request for Third Party or Involuntary Summons event.

You must indicate upon whom the summons is to be issued - you may select multiple parties. The “Date summons issued” field should not be changed, and the system will not allow you to select a future date . When prompted, indicate whether an Alias or Pluries summons is requested. The resulting docket text will indicate the Summons is pending.

**Summons Events:**

[6:15-ap-00006-ABB Vader v. Common](#)

Type: ap	Office: 6 (Orlando)	Judge: ABB
Lead Case: 6-11-bk-158	Case Flag: ADV	

**Docket Text: Modify as Appropriate.**

The text “(Alias or Pluries Summons Pending)” will be removed from this entry’s text upon summons issuance.

Once issued, the summons will be available on the docket; you may click the document link for the image. Note that PACER charges may apply if viewed from the docket as opposed to viewing via the electronic notification which provides a “free look”.

04/14/2015	 17	Alias Summons Requested on Jennifer Marie Stevens. Filed by Alyson Johnson on behalf of Plaintiff James Earl Jones, Defendant Jennifer Marie Stevens. (Johnson, Alyson) (Entered: 04/14/2015)
04/14/2015	 18 (1 pg)	Alias Summons Issued on Jennifer Marie Stevens. Answer Due 5/6/2015. (ADIClerk) (Entered: 04/14/2015)

**Note:** The Alias / Pluries Summons process is run in 30 minute intervals therefore the summons will not issue immediately upon submission as it does when the Adversary proceeding is filed.

### **Requesting a Third Party / Involuntary Summons or a Summons after filing an Amended Complaint adding Defendant(s)**

The process for requesting a Third Party (AP) or Involuntary (BK) Summons or a new summons for a defendant added by the filing of an Amended Complaint is similar to the Alias / Pluries Summons with one important distinction: for these summons, a completed summons form must be submitted during the entry. Summons forms can be found on our website at <http://www.flmb.uscourts.gov/forms/>. It is only necessary to provide one form for issuance, as it is not a requirement to submit a separate form for each party served. The summons will then be issued and posted to the docket by a member of the Clerk’s Office. Attorneys will be notified of the summons issuance entry through their usual manner of electronic notification (individual or daily summary emails.)

To request a summons for a defendant added by the filing of an Amend Complaint, from the **Adversary or Bankruptcy – Request a Summons** event menu, select **Request for Summons after Amended Complaint Adding Defendant(s)** and following the prompts.

To request a Third Party or Involuntary Summons, from the **Adversary or Bankruptcy – Request a Summons** events menu, select the event **Request for Third Party or Involuntary Summons**.

A message screen during docketing will remind you that a form is necessary, and that the event is not to be used for Alias or Pluries Summons.

**Summons Events:**

5:15-ap-00006-ABB Vader v. Common

Type: ap                      Office: 6 (Orlando)                      Judge: ABB  
Lead Case: 6-11-bk-158                      Case Flag: ADV

**NOTE:** A completed summons form for issuance **MUST** be uploaded on the following screen. Links to official forms B250D and B250E can be located via our website [here](#). Upon receipt, the clerk will issue and docket the appropriate Summons Issued docket entry.

This event is for Third Party and Involuntary Summons only. If you require an Alias or Pluries Summons, please return to the Adversary - Request a Summons category and select the Request for Alias or Pluries Summons event.

When using the Request for Third Party or Involuntary Summons event, when prompted, indicate whether a Third Party or Involuntary summons is requested.

**ECF**    Bankruptcy    Adversary    Query    Reports    Utilities    Search    Logout

**Miscellaneous:**

5:11-ap-00004-ABB Jones v. Stevens

Type: ap                      Office: 6 (Orlando)                      Judge: ABB  
Lead Case: 6-04-bk-365                      Case Flag: 727OBJ, ADV

**REMINDER:** SEE RULE 7007.1(b) REGARDING CORPORATE OWNERSHIP STATEMENT

Docket Text: Modify as Appropriate.

Request for Third Party Summons    Filed by Alyson Johnson on behalf of Plaintiff James Earl Jones . (Johnson, Alyson)

The Third Party / Involuntary Summons or a Summons for a newly added defendant must be issued by Clerk’s Office staff and is not processed via automation. Upon review of the request, a member of the Clerk’s Office staff will issue the summons. The summons when issued will be available through the usual method of electronic notification. It may also be viewed on the docket by clicking the document link for the image. Note that PACER charges

Issuance of Original, Alias / Pluries & Third Party / Involuntary Summons

may apply if viewed from the docket as opposed to viewing the electronic notification which provides a “free look”.

04/14/2015	<a href="#">20</a> (1 pg)	Request for Third Party Summons Filed by Alyson Johnson on behalf of Plaintiff James Earl Jones. (Johnson, Alyson) (Entered: 04/14/2015)
04/14/2015	<a href="#">21</a> (1 pg)	Third Party Summons Issued on Jennifer Marie Stevens Date Issued 4/14/2015, Answer Due 5/14/2015 . (Johnson, Alyson) (Entered: 04/14/2015)